

ACADEMIC POLICIES AND PROCEDURES

UNIVERSITY OF SOUTH FLORIDA 2011-2012 UNDERGRADUATE CATALOG

STUDENT ACADEMIC GRIEVANCE PROCEDURES (USF Policy 10-002)

I. Introduction (Purpose and Intent)

The purpose of these procedures is to provide all undergraduate and graduate students taking courses within the University of South Florida system (USF system) an opportunity for objective review of facts and events pertinent to the cause of the academic grievance. Such review will be accomplished in a collegial, non-judicial atmosphere rather than an adversarial one, and shall allow the parties involved to participate. All parties will be expected to act in a professional and civil manner.

The procedures that follow are designed to ensure objective and fair treatment of both students and instructors. These guidelines are meant to govern all colleges (exclusive of the College of Medicine which maintains its own procedures), however, as individual USF system institutions, colleges or campuses may have different levels of authority or titles, each student must obtain the specific designations used by each entity for levels of authority and titles in the process with appropriate designations of authority if necessary.

In the case of grade appeals, the USF system reserves the right to change a student's grade if it is determined at the conclusion of the grievance process that the grade given was incorrect. In such circumstances, the Dean or Provost/Sr. Vice President for Academic Affairs, the Regional Vice-Chancellor for Academic Affairs, or the Sr. Vice President, USF Health may file an administrative grade change. The term "incorrect" means the assigned grade was based on something other than performance in the course, or that the assignment of the grade was not consistent with the criteria for awarding of grades as described in the course syllabus or other materials distributed to the student. In the case of all other academic grievances, the USF system reserves the right to determine the final outcome based on the procedures detailed herein.

In the case of Academic Integrity (USF Regulation 3.027) violations, these Student Academic Grievance Procedures apply and include an Academic Integrity Review Process at the College Level as described in section III below.

II. Terms and Guidelines

An "academic grievance" is a claim that a specific academic decision or action that affects that student's academic record or status has violated published policies and procedures, or has been applied to the grievant in a manner different from that used for other students. Grievances may relate to such decisions as the assignment of a grade seen by the student as incorrect or the dismissal or failure of a student for his or her action(s), including violations of the professional/ethical standards in clinical or field-based programs. Academic grievances will not deal with general student complaints.

"Instructor" shall mean any classroom instructor, thesis/dissertation/directed study supervisor, committee member or chair, or counselor/advisor who interacts with the student in an academic environment.

"Department Chair/Director" shall mean the academic head of a college department or the director of a program—or in all cases a "Department's designee" appointed to handle academic grievances.

"Dean" shall mean a College Dean, or the Dean of Undergraduate Studies, or the Dean of the Graduate School, or the equivalent as indicated—or in all cases a "Dean's designee" appointed to handle academic grievances for the unit.

"Time" shall mean "academic time," that is, periods when USF system classes are in session. *The person vested with authority at the appropriate level may extend any of the time periods contained herein for good cause.* Any extensions must be communicated in writing to all parties. For the purposes of this policy, each step shall be afforded three (3) weeks as a standard time limit. When a department considers a grievance according to published departmental procedures approved by the College Dean and Provost or College Dean and Regional Vice Chancellor for Academic Affairs, as pertinent, the time line specified in this academic unit's procedures will govern the process

and no additional notice of time extension is needed.

"Written communication" shall mean communication by hard copy to the recipient's address of record or email communication using assigned USF email address.

The "burden of proof" shall be upon the student such that the student challenging the decision, action or grade assigned has the burden of supplying evidence that proves that the instructor's decision was incorrect, in all cases except alleged violations of academic integrity. In cases where the issue is academic integrity, the burden of proof shall be upon the instructor. In considering grievances, decisions will be based on the preponderance of the evidence.

Neither party shall be entitled to bring "legal representation" to any actual grievance proceeding as this is an internal review of an academic decision.

As some Colleges may not have departments or some campuses may use different titles, the next level that applies to that College shall be substituted. If the incident giving rise to a grievance occurs on the St. Petersburg

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campus, the approved policy on that campus shall govern.

III. Statement of Policy

A. *Resolution at the Department Level*

1. The student shall first make a reasonable effort to resolve his or her grievance with the instructor concerned, with the date of the incident triggering the start of the process (i.e. the issuance of a grade; the receipt of an assignment) and the instructor shall accommodate a reasonable request to discuss and attempt to resolve this issue.
2. If the situation cannot be resolved or the instructor is not available, the student shall file a notification letter within three weeks of the triggering incident to the department Chairperson/Director. This shall be a concise written statement of particulars and must include information pertaining to how, in the student's opinion, University system policies or procedures were violated. The department Chairperson/Director shall provide a copy of this statement to the instructor. The instructor may file a written response to the grievance.
3. The department Chairperson/Director shall discuss the statement jointly or individually with the student and the instructor to see if the grievance can be resolved. If the department maintains its own grievance procedure,* it should be applied at this point. If the grievance can be resolved, the Chairperson/Director shall provide a statement to that effect to the student and the instructor with a copy to the College Dean.
4. If the grievance cannot be resolved, the department Chair/Director shall notify both the student and the instructor, informing the student of his/her right to file a written request directed back to the Chair/Director within three weeks to advance the grievance to the College Level. Upon receipt of the student's request to move the process to the College Level and the instructor's response to the grievance (if provided), the Chairperson/Director shall immediately notify the College Dean of the grievance, providing copies of the student's initiating grievance statement, any instructor's written response to the grievance, and the written request from the student to have the process advanced to the College Level. Should the student not file a written request to move the grievance to the College Level within the prescribed time, the grievance will end.
If the grievance concerns the Chairperson/Director or other officials of the department, the student has a right to bypass the departmental process and proceed directly to the College Level.

B. *Resolution at the College Level*

1. Upon receipt of the grievance, the College Dean shall either determine that the matter is not an academic grievance and dismiss it or within three weeks shall establish an Academic Grievance Committee. The membership of the Committee shall be constituted as follows:
 - a. Three (3) faculty members and two (2) students (undergraduate or graduate as appropriate to the case) shall be selected from the college by the Dean.
 - b. Wherever practical, the Committee shall not include members of the faculty or students of the department directly involved with the grievance, or faculty or students of the student's major department. However, for cases involving Clinical or Professional Standard violations, the Committee shall include at least one member assigned to oversee, or with expertise, in that clinical area. In addition, deficiency in or violations of, clinical or professional standards may be sufficient to support academic failure or dismissal notwithstanding success in other areas of the academic record. The student or faculty may request to attend a Committee meeting. The Chairperson will designate which meeting the student or instructor may attend to present any final statement to the Committee. In addition, only the Committee may invite additional parties such as faculty or students from the department involved with the grievance or from the student's major department or outside party to provide expert or other relevant testimony in the proceedings. The student or instructor may be present during the other's final statement and may hear the additional information provided, however, neither may be present during the committee's deliberations.
 - c. The student or instructor may bring an advisor (not to act as legal counsel or to participate in the meetings) to the meeting.
2. The Committee will operate in the following manner:
 - a. The Committee Chairperson will be appointed by the College Dean from among the three faculty members appointed to the Committee.
 - b. The Committee Chairperson shall be responsible for scheduling meetings, overseeing the deliberations of the committee and ensuring that full and fair consideration is provided to all parties. The Committee Chairperson shall vote on committee decisions only when required to break a tie.
 - c. In Committee reviews involving Academic Integrity, the following *Academic Integrity Review Process* shall be followed in addition to the other Department procedures if applicable:
 - 1) The Committee Chairperson shall notify the student and instructor of the date and time of the meeting.
 - 2) The student and instructor may submit a list of questions to the Committee Chairperson to be answered by the student and instructor. If submitted, the questions will be disseminated by the Committee Chairperson and the Committee Chairperson will ensure that the questions are answered in writing and

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submitted for review by the Committee, student, and instructor before the initial meeting.

- 3) Students shall be permitted to remain in the course or program during the Academic Integrity Review Process. However, if the student is in a clinical or internship setting, the student may be removed from such setting until the issue of Academic Integrity is resolved. In such cases, the program will attempt to identify an alternative educational option to the clinical or internship to enable the student to continue progressing in the program.
- d. All deliberations shall be in private and held confidential by all members of the Committee. The recommendation of the Committee shall be based on the factual evidence presented to it.
- e. Within three weeks of the Committee appointment, the Committee Chairperson shall deliver in writing to the College Dean a report of the findings and a recommended resolution.
- f. Within three weeks of receipt of the Committee recommendation, the College Dean shall provide a decision in writing to all parties (the student, the instructor and the department Chair/Program Director). The Dean's decision shall indicate whether the decision was consistent with the committee's recommendation.
- g. The student or the instructor may appeal the decision of the College Dean to the University Level only if the decision of the College Dean is contrary to the recommendation of the Committee (which will be indicated in the Dean's decision) or if there is a procedural violation of these Student Academic Grievance Procedures. Such an appeal must be made in writing to the Dean of Undergraduate Studies or Graduate School (as appropriate) within three weeks of receipt of the decision from the College Dean. Otherwise, the College Dean's decision is final and not subject to further appeal within the University.

C. Resolution at the University Level

The Provost/Sr. Vice President for Academic Affairs or the Sr. Vice President, USF Health has delegated authority to the Dean of Undergraduate Studies to act in place of the Provost/Sr. Vice President in all academic grievance appeals involving undergraduate students unless the grievance occurred in a program within Undergraduate Studies, wherein it will go back to the Provost to redelegate. The Dean of Graduate School will act in place of the Provost/Sr. Vice President in all academic grievance appeals involving graduate students. The Regional Vice Chancellor for Academic Affairs at USF St. Petersburg may delegate authority to a designated academic administrator at USF St. Petersburg to hear the appeal at the University level.

1. The student or the instructor may appeal at the University Level within three weeks of the receipt of a decision made at the College Level, when (1) the decision by a College Dean is contrary to the recommendation of a college Grievance Committee, or (2) there is cause to think a procedural violation of these USF system Academic Grievance Procedures has been made. Within three weeks of receipt of the appeal to the decision, the Undergraduate/Graduate Dean in consultation with the Faculty Senate and the Student Senate, shall appoint an Appeals Committee consisting of three faculty members drawn from the University Undergraduate Council or Graduate Council (as appropriate), and two students, undergraduate or graduate (as appropriate).
2. The structure, functions and operating procedures of the Appeals Committee will be the same as those of the College Committee (i.e. chaired by one of the appointed faculty members appointed by the Undergraduate/Graduate Dean who will not vote except in the case of a tie, having no representation from either party's respective departments, developing a recommendation to the Undergraduate/Graduate Dean, etc.).
3. Within three weeks of the appointment, the Committee Chairperson shall deliver in writing to the Undergraduate/Graduate Dean a report of the findings of the Committee and a recommended resolution.
4. Within three weeks of receipt of the Committee recommendation, the Undergraduate/Graduate Dean shall provide a decision in writing to all parties.
5. If the Undergraduate/Graduate Dean's decision is that a grade change is merited, the Undergraduate/Graduate Dean shall initiate the grade change on the authority of the Provost and so inform all parties. In all academic grievance appeals, the Undergraduate/Graduate Dean's decision is final and not subject to further appeal within the University.

These procedures shall take effect commencing (February 10, 2009) and shall supersede all other academic grievance procedures currently in effect, with the exception of the procedures of the College of Medicine.

**Departments may develop their own formal procedures for considering grievances. Such procedures must be considered and approved by the College Dean and the Provost, and published on the Department's web site. When such procedures exist, the Department's examination of the grievance will unfold as specified in the procedures, however, those procedures must adhere to the three-week timeline (with a notice to the student in writing of any need for an extension). If the Departmental process upholds the student's grievance, the Department Chair will work with the College, the student and the instructor to remedy the situation. If the Department does not uphold the grievance, the Chair will report the fact to the Dean. The student may, in such cases, request the College Level review as outlined in these USF system procedures.*